(Rev. 06/05) Judgment in a Criminal Case ♠AO 245B UNITED STATES DISTRICT COURT Southern District of Mississippi UNITED STATES OF AMERICA AMENDED JUDGMENT IN A CRIMINAL CA V. Case Number: 4:03cr23WS-003 ENTONIO BURNSIDE 07691-043 USM Number: George Lucas 200 S. Lamar Street, Suite 100-S, Jackson, MS 39201 Date of Original Judgment 01/16/04 Defendant's Attorney: Reduction of Sentence for Changed Circumstances (Fed R Crim P35(b)) THE DEFENDANT: pleaded guilty to count(s) ☐ pleaded nolo contendere to count(s) which was accepted by the court. ☐ was found guilty on count(s) after a plea of not guilty. The defendant is adjudicated guilty of these offenses: Nature of Offense Offense Ended Count Title & Section Conspiracy to Distribute Cocaine Base 06/03/03 1 21 U.S.C. § 841(a)(1) and 846 The defendant is sentenced as provided in pages 2 through of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. ☐ The defendant has been found not guilty on count(s) are dismissed on the motion of the United States. It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances. March 17, 2008 Date of Imposition of Judgment usy & Wingote

The Honorable Henry T. Wingate

Chief U.S. District Court Judge

Name and Title of Judge

Date 45, 2008

(Rev. 06/05) Judgment in Criminal Case Sheet 2 — Imprisonment AO 245B

DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

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|                 |   |    |   |

DEPUTY UNITED STATES MARSHAL

|          | IMPRISONMENT  |
|----------|---|
| total t  | The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a erm of:          |
|          | 71 months   |
|          | The court makes the following recommendations to the Bureau of Prisons:   |
| <b>4</b> | The defendant is remanded to the custody of the United States Marshal.  |
|          | The defendant shall surrender to the United States Marshal for this district:   |
|          | □ at □ a.m. □ p.m. on □ . □ as notified by the United States Marshal.   |
|          | The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:  before 2 p.m. on |
|          | as notified by the United States Marshal.   |
|          | as notified by the Probation or Pretrial Services Office.   |
| I howa   | RETURN  executed this judgment as follows:  |
| 1 Have   | executed this judgment as follows.  |
|          | Defendant delivered on to   |
| at       | , with a certified copy of this judgment.   |
|          |   |
|          | UNITED STATES MARSHAL   |

AO 245B (Rev. 06/05) Judgment in a Criminal Case Sheet 3 — Supervised Release

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DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

#### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 5 year(s)

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

#### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 06/05) Judgment in a Criminal Case Sheet 3C — Supervised Release

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DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

#### SPECIAL CONDITIONS OF SUPERVISION

- a The defendant shall submit to random urinalysis testing, and complete any substance abuse treatment program deemed necessary by the supervising U.S. Probation Officer.
- b. The defendant shall obtain and maintain employment during the term of supervision.
- c. The defendant shall attend and complete a training prograin in order to obtain his General Equivalency Diploma.
- d. The defendant shall submit to a psychological evaluation, and shall attend and complete a mental health treatment program for gambling addiction.
- e. The defendant is prohibited from participating in any gamblin~ activity which includes but is not limited to going to any gaming establishments which includes casinos, vIdeo gambling establishments, bingo halls, race tracks, established sports betting, lotto betting, lottery ticket sales, crap shoots and online/internet gambling.
- f. The defendant shall submit any requested financial information to the supervising U. S. Probation Officer, and shall not incur any new debt or open any additional lines of credit, without the prior approval of the supervising U.S. Probation Officer.

AO 245B (Rev. 06/05) Judgment in a Criminal Case Sheet 5 — Criminal Monetary Penalties

|         |  |                 |    |     |   | _ |
|---------|--|-----------------|----|-----|---|---|
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|         |  |                 |    |     | • |   |
| N TOTAL |  | _               |    |     |   | _ |

DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

# **CRIMINAL MONETARY PENALTIES**

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

|            |   | , <b>, ,</b>                                       |                                  | - F   |  |
|------------|---|--|----------------------------------|---|--|
| то         | Assessment<br>\$100.00  | <u>Fine</u><br>\$1,500                             | .00                              | Restitut  | ion_   |
|            | The determination of restitution is deferred ur after such determination.   | ntil An Amen                                       | ded Judgmen                      | t in a Criminal Case                              | will be entered  |
|            | The defendant must make restitution (including  | ng community restitution                           | ı) to the follow                 | ving payees in the amou                           | int listed below.  |
|            | If the defendant makes a partial payment, each the priority order or percentage payment colubefore the United States is paid.                 | h payee shall receive an a<br>mn below. However, p | approximately<br>ursuant to 18 l | proportioned payment,<br>U.S.C. § 3664(i), all no | unless specified otherwise in<br>nfederal victims must be paid |
| <u>Nan</u> | ne of Payee   |  | Total Loss*                      | Restitution Ordered                               | Priority or Percentage   |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
|            |   |  |                                  |   |  |
| TC         | OTALS   | <u>s</u>   | 0.00                             | <u>s</u> 0.00                                     |  |
|            | Restitution amount ordered pursuant to plea   | a agreement \$                                     |                                  |   |  |
|            | The defendant must pay interest on restituti<br>fifteenth day after the date of the judgment,<br>to penalties for delinquency and default, pu | pursuant to 18 U.S.C. §                            | 3612(f). All                     |   |  |
| V          | The court determined that the defendant do  | es not have the ability to                         | pay interest a                   | and it is ordered that:                           |  |
|            | the interest requirement is waived for t  | he 🜠 fine 🗌 re                                     | stitution.                       |   |  |
|            | ☐ the interest requirement for the ☐  | fine $\square$ restitution                         | is modified as                   | follows:  |  |

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 06/05) Judgment in a Criminal Case Sheet 6 — Schedule of Payments

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DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

# SCHEDULE OF PAYMENTS

| Hav           | ing assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:  |
|---------------|--|
| A             | Lump sum payment of \$ due immediately, balance due  |
|               | not later than, or in accordance C, D, E, or F below; or   |
| В             | Payment to begin immediately (may be combined with C, JD, or F below); or  |
| C             | Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or   |
| D             | Payment in equal monthly (e.g., weekly, monthly, quarterly) installments of \$ 25.00 over a period of 59 month(s) (e.g., months or years), to commence 30 day(s) (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or  |
| E             | Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or  |
| F             | ☐ Special instructions regarding the payment of criminal monetary penalties:   |
|               | ess the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due duritisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financionsibility Program, are made to the Clerk of Court P. O. Box 23552, Jackson, MS 39225-3552.  defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. |
|               | Joint and Several  |
|               | Case Numbers (including defendant number) and Defendant and Co-Defendant Names, Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.   |
|               | The defendant shall pay the cost of prosecution.   |
|               | The defendant shall pay the following court cost(s):   |
|               | The defendant shall forfeit the defendant's interest in the following property to the United States:   |
| Payr<br>(5) f | ments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, ine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.  |

AO 245B (Rev. 06/05) Judgment in a Criminal Case Sheet 7 — Denial of Federal Benefits

|      |        |      |   |    |   | _ |
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DEFENDANT: ENTONIO BURNSIDE CASE NUMBER: 4:03cr23WS-003

### DENIAL OF FEDERAL BENEFITS

(For Offenses Committed On or After November 18, 1988)

# FOR DRUG TRAFFICKERS PURSUANT TO 21 U.S.C. § 862

|    | IT IS  | S ORDERED that the defendant shall be:   |
|----|--------|--|
| Ø  | ineliş | gible for all federal benefits for a period of five (5) years .  |
|    | •      | gible for the following federal benefits for a period of  cify benefit(s))   |
|    |        | OR   |
|    | Havi   | ng determined that this is the defendant's third or subsequent conviction for distribution of controlled substances, IT IS   |
| ш  |        | DERED that the defendant shall be permanently ineligible for all federal benefits.   |
| FO | R DF   | RUG POSSESSORS PURSUANT TO 21 U.S.C. § 862(b)  |
|    | IT IS  | ORDERED that the defendant shall:  |
|    | be in  | eligible for all federal benefits for a period of  |
|    | be in  | eligible for the following federal benefits for a period of  |
|    | (spec  | cify benefit(s))   |
|    |        |  |
|    |        |  |
|    |        | successfully complete a drug testing and treatment program.  |
|    |        | perform community service, as specified in the probation and supervised release portion of this judgment.  |
|    |        | Having determined that this is the defendant's second or subsequent conviction for possession of a controlled substance, IT IS FURTHER ORDERED that the defendant shall complete any drug treatment program and community service specified in this judgment as a requirement for the reinstatement of eligibility for federal benefits. |

Pursuant to 21 U.S.C. § 862(d), this denial of federal benefits does not include any retirement, welfare, Social Security, health, disability, veterans benefit, public housing, or other similar benefit, or any other benefit for which payments or services are required for eligibility. The clerk is responsible for sending a copy of this page and the first page of this judgment to:

U.S. Department of Justice, Office of Justice Programs, Washington, DC 20531